

Construction Training Program Information Guide

The City of Austin (COA) Construction Training Program (CTP) implemented by Council Resolution 20180628-061 http://www.austintexas.gov/sites/default/files/files/CTP_Resolution.PDF and administered by the Capital Contracting Office (CCO) fosters training in the construction trades to develop a pool of qualified, ready-to-work skilled and semi-skilled workers, and to provide economic opportunities to its citizens by:

- Emphasizing the recruitment of trainees who are likely to become members of a contractor’s regular workforce upon completion of the Program
- Emphasizing training in skilled craft classifications
- Implementing a 15% requirement for the use of United States Department of Labor (DOL)-registered Apprentices, DOL-approved On-the-Job Trainees, or DOL-certified Bilingual Training Program Trainees for projects with significant budgets exceeding \$10 Million
- Implementing a Construction Readiness trainee program by establishing a Pipeline with community agencies who provide pre-employment, pre-apprentice and/or apprenticeship-readiness training

Each project meeting the below criteria will include a trainee goal to be met by the Contractor. This guide is intended to provide overall program information and applies only to those contracts which include contract Section 00840 <http://www.austintexas.gov/page/bid-docs>. In the event of any conflict, the requirements of Section 00840 of the contract prevail over this Guide.

Definitions.

City of Austin (COA) Related Terms	
Capital Contracting Office (CCO)	CCO is overall responsible for administering the COA's Construction Training Program.
COA Approved Minimum Wage Rate	This is the COA's minimum established wage rate for workers performing construction activities on COA contracts per Ordinance No. 20160324-015.
Training Plan (TP)	The TP is fillable form available on the CTP WebPage used to identify how a contractor intends to meet the CTP requirements. The TP is subject to the review and approval of the CTP Administrator and must be submitted prior to Notice-to-Proceed (NTP) issuance or as otherwise indicated in Section 00840.
Training Report (TR)	The TR is a fillable form available on the CTP website used to document the contractor’s training activities and/or hours worked for each trainee. The TR is due on a monthly basis and is subject to the review and approval of the CTP Administrator.
Horizontal Construction Project	Horizontal Construction Projects are civil construction projects such as roads, bridges, and utilities.
Training Requirement	Depending on project budget, the training requirement represents the total number of trainees/apprenticeship workers required of the total workforce to meet the requirement of the CTP. (Additional information relating to the training requirement are outlined in Chart B of this guide).

City of Austin (COA) Related Terms (Continued)	
Vertical Construction Project	These are projects for the COA which include significant vertical structural components or buildings requiring building construction trades.
Workforce	The workforce is the estimated number of full-time employees to be employed on the project, calculated using standard criteria, and taking into account significant training opportunities.

Training Programs & Trainee Types	
Apprentice (A)	An apprentice is a worker who's currently enrolled in a DOL-registered apprenticeship program.
Apprentice Graduate (AG)	An apprenticeship graduate is a worker who has obtained a certificate of graduation from a DOL-registered Apprenticeship or DOL-certified Bilingual Program of training.
Apprenticeship Program	A work training program registered by the DOL and conforming to the requirements of 29 CFR 29-30.
Construction-Ready Trainee (CR)	A construction-ready trainee is one who has graduated from or is currently participating in a COA -approved Pipeline training program.
Department of Labor (DOL)	The DOL is cabinet-level department of the U.S. federal government whose mission is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.
Journeyman	A journeyman is a fully trained tradesperson, who may or, may not be a union worker, and who may, or may not have completed apprenticeship training through a DOL-registered apprenticeship program.
OJT Graduate (OG)	An OJT Graduate is a worker who can provide evidence of graduating from a DOL-approved OJT Training Program.
On-the-Job Training (OJT) Program	OJT is a DOL-approved training program as described under 29 CFR 5.16
Pipeline Organization	These organizations are approved by the COA and are responsible for providing pre-employment training related to construction, pre-apprentice, and apprentice readiness training.
Trainee	For the purposes of the COA Construction Training Program, those individuals enrolled in or graduates of a DOL certified Bilingual Training Program or DOL Registered Apprenticeship Program.

Training Requirements

Establishment of the Construction Training Requirement for each project will be based on project scope, dollar amount, and opportunities available to achieve the training requirements. The requirements will be established either prior to solicitation, or during contract negotiations, using the criteria in Charts A and B. Contract requirements will be subject to availability of Trainees and Graduates.

Chart A - Evaluation Criteria

1. Material cost vs labor cost
2. Scope of work
3. Schedule of values (a comprehensive list of work for a particular project)
4. Project duration and schedule
5. Unique aspects of the project
6. Available training programs for the specific Training Plan
7. Workforce determined by the number of workers that will be on the project enough days to establish a training program.

For **Vertical Construction Projects with a construction budget over \$10,000,000**, a minimum of 15% of the Workforce must be current enrollees or Graduates of a U.S. DOL-registered Apprenticeship Program or DOL-certified Bilingual Training Program. Graduates must not satisfy more than half of the training requirement. Any Apprentices enrolled in a DOL-registered Apprenticeship program must be paid at least the percentage of the prevailing journeyman wage rate as specified in the Apprenticeship Program for that trade but may NOT be paid less than the City's Approved Minimum Wage Rate.

For **Horizontal Construction Projects with a construction budget over \$10,000,000**, a minimum of 15% of the Workforce are to be Graduates of or current enrollees in a DOL-approved OJT Training Program or DOL-certified Bilingual Training Program. Graduates must not satisfy more than half of the training requirement. Any OJT Trainees enrolled in a DOL-approved training program must be paid at least the percentage of the prevailing journeyman wage rate as specified in the training program for that trade, but may NOT be paid less than the City's Approved Minimum Wage Rate.

For projects with a **construction budget less than \$10M**, a minimum requirement for Construction-Ready Trainees will be evaluated per criteria in the chart below. The Construction Ready Trainee is a graduate or current enrollee of the Pipeline organizations who provide pre-employment training related to construction, pre-apprentice, construction-readiness, and apprentice readiness training programs. Once in the construction industry, Construction-Ready Trainees may secure additional training through apprenticeship or OJT programs to further advance in the construction industry.

Project Budget	Apprentice/OJT Trainee/Graduate and Construction Ready Trainee Requirements	DOL-approval required?
\$500K to \$2.5M	❖ 2 – Construction Ready Trainees/Graduates	N
Over \$2.5M to \$5M	❖ 4 – Construction Ready Trainees/Graduates	N
Over \$5M to \$10M	❖ 6 – Construction Ready Trainees/Graduates	N
Over \$10M (Significant Budget)	OJT/Graduate/Trainee Minimum 15% of Workforce	Y

❖ These requirements may also be satisfied by workers enrolled in or graduated from DOL registered/approved training programs

How Requirements are Applied.

- For Indefinite Delivery/Indefinite Quantity (IDIQ) and Job Order Contracts (JOC), requirements will be set based on the value of the individual assignments and will only apply for assignments \$500,000 and over.
- For Construction-Manager-at-Risk and Design/Build contracts, requirements will be set based on the total construction amount of each Guaranteed Maximum Price contract amendment.
- For traditional construction contracts with a defined scope, requirements will be set based on the solicitation construction budget.

Pipeline. The City has developed a Construction Readiness Pipeline to include community organizations who provide pre-employment, pre-apprentice, and apprentice-readiness training. Graduates of these programs may be included in Training Plans on construction projects \$10M or less. Should the Pipeline workers pursue further training through DOL-registered apprenticeship, DOL-approved OJT training, or DOL-certified Bilingual Training Programs they may then be included in Training Plans on construction projects over \$10M. The list of Pipeline Organizations can be found at the following link.

http://www.austintexas.gov/sites/default/files/files/Capital%20Contracting/Pipeline%20Organizations_Rev102820.pdf.

- Other Programs: In the event a contractor is aware of another construction-focused training program, the City will consider adding that program based on its curriculum. Contractors are invited to submit suggested trainers and programs.

DOL-Credentialed Programs. Apprentices are required to be enrolled in a DOL-registered apprenticeship program. OJT Trainees are required to be enrolled in a DOL-approved OJT program. Participants in DOL-certified Bilingual Training Programs are required to be currently enrolled in or graduates of that program. Graduates must have evidence of completion of an applicable training program. The latest listings of DOL-approved apprenticeship programs can be found at <https://www.apprenticeship.gov/apprenticeship-finder>.

Working Multiple Projects. Apprentices and trainees (Participants) may work on multiple projects, accumulating training hours. All training or working hours are to be reported on the *Construction Training Program Training Report Form*. All trainees must be paid no less than the minimum wages required under a qualified training program, or COA's minimum wage rate, whichever is greater.

Graduation and Records Retention. Upon graduation from a training program, the contractor is to furnish the City with evidence of Participant graduation. The contractor is to retain all training records for at least three (3) years after completion of the contract work. Per the contract's General Conditions, these may be requested by the COA or its assignees.

CONTRACTOR'S RESPONSIBILITIES

Upon Council award of the contract, the Contractor's responsibilities in meeting the requirements of the Program include the following:

- For contracts \$10M and less, provide a completed Construction Training Plan no later than 10 business days after contract award and/or prior to execution of the contract for a JOC assignment or IDIQ assignment \$500,000 or over, outlining how the contractor intends to meet the Program requirement, and the scope and duration of training opportunities. [Note: Training Plan must be approved prior to issuance of Notice-to-Proceed (NTP).
- For contracts more than \$10M, provide a completed Construction Training Plan no later than 15 business days after contract award unless otherwise indicated in Section 00840.

- The contractor assigned the training requirement is responsible for ensuring it is met. Actual training may be provided by a subcontractor.
- Ensure the training provision is included in each subcontract being utilized to meet the training requirement.
- Submit evidence of trainees' enrollment in or graduation from a qualified training provider to CCO.
- The number of trainees shall be distributed among the work classifications on the basis of the contractor's needs, and the availability of trainees or journeymen in the various classifications.
- Advise applicants and employees of available training programs and entrance requirements
- Submit the required reporting forms in a timely manner to ensure Program compliance
- Upon graduation, provide each trainee with a certificate showing the type and length of training satisfactorily completed
- If a trainee is terminated or leaves the contractor's employment, the contractor shall demonstrate reasonable efforts to replace the trainee. The replacement trainee need not be employed by the same firm or under the same wage classification as the former employee.

Reporting Submissions. Once training begins, the contractor will submit a Training Report to CCO for each Trainee no later than 30 calendar days after the Notice-to-Proceed. This Training Report must be submitted monthly thereafter for the duration of the project or to report no activity if applicable. This shall indicate work classification and graduation details, as well as training status changes. If a Trainee is terminated or resigns, the CONTRACTOR is required to make a reasonable effort to replace the Trainee within 30 calendar days.

Records Retention. The contractor is to retain all training records for at least three years after completion of the contract work. Such records shall be available at reasonable times and places for inspection by authorized representatives of the COA and Owners of contracts receiving COA funds, resources, or other consideration.

Wage Rate. The trainee will be paid no less than the appropriate prevailing wage rate for training crafts on the contract under a DOL-approved training program, or (on City projects only) the COA minimum wage, whichever is higher.

Exceeding Program Requirements. Contractors that exceed the Apprenticeship/OJT employment requirements in the approved Training Plan will be eligible to receive a higher score ("Exceptional Performance" rating) in the wage section of the City's Contractor Performance Evaluation (CPE) program. A construction contractor's CPE scores are used when the solicitation methodology allows the City to consider factors other than price (*e.g.*, Competitive Sealed Proposal, Design-Build, and Construction Manager at Risk contracts) for contract award.

Not Meeting Program Requirements. Lack of demonstrated reasonable effort to comply with the Construction Training Program will be reflected in the Contractor's Performance Evaluation and may impact the receipt of future business with the City of Austin.

Contractor's Reasonable Efforts to Comply. The contractor will be responsible for demonstrating the steps taken to meet the training requirement. If a Contractor has fewer trainees or apprentices employed on the project than specified in the Training Plan, then the Contractor must submit evidence of recruitment efforts. These may include the following expectations:

- contact CCO for a current list of approved training providers
- log of applicants contacted
- log of training organizations contacted
- document outreach efforts made to all available training organizations (per current COA list) to satisfy the requirements
- submit documentation as part of the Construction Training Program Reporting of Contractor's recruitment efforts performed until requirements are met or project is complete

Successful Participation. The contractor will have fulfilled its responsibilities under Section 00840 of the contract by having complied with the City-approved Training Plan.

TRAINEE RESPONSIBILITIES

Maintain acceptable attendance, perform their work safely as determined by contractor, and abide by the requirements of the employer, training provider, and COA contracts. A successful Participant will apply themselves to learning and mastering a trade.

Trainee Applicant Standards. Proposed trainees must meet the following requirements:

- Has not completed a training course leading to journeyman status for the proposed training classification;
- Has not worked as a journeyman in the proposed classification;
- Does not have journeyman experience in the proposed classification

TRAINING ORGANIZATION RESPONSIBILITIES

List of Available Trainees and Graduates. Maintain and make available a list of recent graduates of the training program and contact information.

Provide Construction-Related Training. Provide construction-focused training to develop employee competence in a specified craft, or general workplace safety and education that is relevant and acceptable to the contractor community.

Communication with Participants, Contractors, and City Staff. Respond to contractor requests for trainees in a timely manner. Maintain communication with participants and City staff.

Records Management. Record and provide evidence of worker enrollment, training progress, and graduation from a COA-approved training program.

Questions regarding the COA CTP may be made by emailing: CTP@austintexas.gov,
or by calling the CTP Administrator at (512) 974-2319